

This Application has been carefully reviewed in light of the Office Action mailed October 3, 2000 (Paper No. 9). At the time of the Office Action, Claims 1-39 were pending in this Application. Claims 1-9 and 23-39 have been canceled without prejudice or disclaimer. Claims 10-22 were rejected. Claims 16, 17, 19, 20 and 21 have been amended and new Claims 40 and 41 added to further define various features of Applicant's invention. Applicant respectfully requests reconsideration and favorable action in this case.

Election/Restriction Requirement

The Examiner required an election of the claimed invention between Group I (Claims 1-9), Group II (Claims 10-22), Group III (Claims 23-30), and Group IV (Claims 31-39). During a telephone conference on September 5, 2000, Applicant's Attorney made a provisional election with traverse to prosecute the invention defined by the claims of Group II (Claims 10-22). Applicant hereby affirms that election. The remaining claims 1 - 9 and 23 - 29 have been canceled without prejudice or disclaimer.

Applicant does not agree with the Examiner's statements that the claims of Groups I, III, and IV are distinct from each other. Applicant plans to file a divisional application for Claims 1 - 9 and 23 - 29. Applicant does not agree that multiple divisional applications should be required for the claims of Groups I, III and IV.

General Comments

On pages 2 and 3 of the Specification, Applicant noted various problems associated with connecting different types of fishing lines together and with connecting a fishing line with a fishing device. Depending upon environmental conditions and the type of fishing line and fishing device being used, these problems can be difficult to overcome. The Specification discusses some of the advantages resulting from using a fishing device having a "open eye" hook

in combination with fishing apparatus and fishing lines as defined in amended Claims 10 - 22 and new Claims 40 and 41. The present invention allows quick changeability and greater flexibility in selecting different types of fishing devices which may be releasably engaged with a fishing apparatus or fishing line. The present invention also allows the use of fixed loops to releasably engage tippets and leaders with each other to provide fishing systems which require no threading of a fishing line through a small eye and no tying of knots to add different types of tippets, leaders and fishing devices to a fishing line. The present invention results in the ability to quickly release a fishing device (fly, hook or lure) from a fishing line and install another type of fishing device on the fishing line. In a similar manner, one size and type of tippet and/or leader may be easily released from a fishing line and replaced by another size and type of tippet and/or leader.

Rejections under 35 U.S.C. § 102(b)

Claims 10, 17 stand rejected under 35 U.S.C. §102(b), as being anticipated by "The Uni-Knot" (hereinafter "Uni-Knot"). Applicant respectfully notes that Uni-Knot expressly teaches running the line through the eye of a hook or lure and then forming a knot as shown in the drawing. Uni-Knot does not show or teach a sliding loop which may be used to releasably engage a fishing line from a fishing device as defined in amended claim 10. One example of engaging a sliding loop with a fishing device or fishing attractor is described on page 11, lines 3 - 32 of the Specification.

Claim 17 has been amended to call for "forming a sliding loop on the first end of the fishing line for releasably engaging and disengaging the fishing line and the fishing device without untying the sliding loop." Applicant respectfully submits that Uni-Knot does not show or teach either Applicant's no-tie fishing apparatus as defined in amended Claim 10 or Applicant's method of fabricating a no-tie fishing apparatus as defined in amended Claim 17. Applicant requests withdrawal of the rejection and allowance of Claims 10 and 17 as amended.

Claims 10, 11, 14, 17, 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by "Presenting the Fly – George Harvey Dry-Fly Knot" (hereinafter "Harvey"). Applicant respectfully notes that the document described as Harvey does not show or teach a fishing line or a sliding loop which may be used for releasably engaging or disengaging a fishing line and a fishing device. Harvey clearly teaches inserting a line through an eye of a fishing device and then forming a knot which secures the fishing line to the fishing device. Harvey does not show or teach a sliding loop which may be used to releasably engage a fishing line with a fishing device.

Applicant's invention includes a sliding loop and a sliding loop knot (see Claims 22 and 41) which may be easily tightened to secure a fishing line with a fishing device and which may be easily loosened to release or disengage the fishing device from the fishing line. Applicant's sliding loop may be used many times to releasably engage and disengage multiple fishing devices with a fishing line. Since Harvey does not show or teach a no-tie fly fishing apparatus which includes "a sliding loop formed on the first end of the fishing line with a diameter that may be increased and decreased for releasably engaging the fishing line with the fishing device," Applicant respectfully requests withdrawal of the rejection and allowance of Claim 10 as amended.

Claims 11 and 14 are dependent from Claim 10. Since Claim 10 is now deemed allowable, Claims 11 and 14 are allowable. Claim 14 also calls for various features of Applicant's invention which are neither shown nor taught in Harvey such as the fishing line having a first section and a second section with the sliding loop formed on the first end of the first section and the second end of the first section releasably engaged with the first end of the second section. Applicant respectfully requests withdrawal of the rejections and allowance of Claims 11 and 14.

As previously noted Claim 17 has been amended to further call for "forming a sliding loop on the first end of the fishing line for releasably engaging and disengaging the

fishing line and the fishing device without untying the sliding loop." Applicant respectfully submits that Harvey does not show or teach forming a sliding loop on the first end of a fishing line as defined in amended Claim 17. Applicant requests withdrawal of the rejection and allowance of Claim 17 as amended.

Claim 22 describes various features of Applicant's invention which are neither shown nor taught by Harvey. For example, Claim 22 calls for "wrapping the first end of the fishing line through the first and second loops and around a central portion of the fishing line" See FIGURES 3A, 3B and 3C of Applicant's drawings. Harvey clearly teaches only wrapping the first end of the fishing line through a first loop and a second loop. Harvey does not show or teach wrapping the end of the fishing line through the first loop and second loops and around the central portion of the fishing line as defined in Claim 22. Applicant's sliding loop as described in the Specification and as shown in FIGURES 3A, 3B and 3C is particularly beneficial for use in releasably engaging and disengaging a fishing line from a fishing device. A sliding loop knot formed by the method of Claim 22 has sufficient size that it may be easily grasped to open and close the associated sliding loop. A sliding loop and sliding loop knot formed by the method of Claim 22 may be reused multiple times and is not limited to a single or one-time use such as the knot shown in Harvey. Applicant requests withdrawal of the rejection and allowance of Claim 22 as amended.

Rejections under 35 U.S.C. § 103(a)

Claims 11-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uni-Knot. As previously noted, Uni-Knot does not show or teach a fishing line having a first end with a sliding loop formed on the first end of the fishing line for releasably engaging the fishing line from a fishing device. Uni-Knot expressly shows running a line through the eye of a hook or lure and then forming a knot on the fishing line which may be tightened against the eye. Uni-Knot does not show or teach a sliding loop which may be releasably engaged with a fishing device. Since Uni-Knot does not show or teach "a sliding loop formed on the first end

of the fishing line with a diameter that may be increased or decreased for releasably engaging the fishing line with the fishing device," Claim 10 as amended is allowable. Claim 11 and 12 are dependent from Claim 10. Since Claim 10 is now deemed allowable, Claims 11 and 12 are allowable. Applicant requests withdrawal of the rejections and allowance of Claims 11 and 12.

Claims 13, 16, 19, 20, 21 stand rejected under U.S.C. §103(a) as being unpatentable over Harvey as applied to Claims 10 and 17, and in further view of U.S. Patent No. 2,672,704 issued to C. J. Smith (hereinafter "Smith"). As previously noted, Claim 10 calls for various features of Applicant's invention such as a fishing line having "a sliding loop formed on the first end of the fishing line" Claim 13 further defines Applicant's invention by calling for "the fishing line having a second end with a fixed loop disposed thereon." Applicant respectfully submits that neither Harvey nor Smith show or teach a no-tie fishing apparatus which includes a fishing line having a sliding loop formed on the first end of the fishing line and a fixed loop disposed on the second end of the fishing line as defined by Claims 10 and 13 as amended. Applicant requests withdrawal of the rejection and allowance of Claim 13.

Claim 16 is dependent from Claim 14 which in turn is dependent from Claim 10. Applicant respectfully submits that neither Harvey nor Smith show or teach Applicant's invention as defined in Claim 14 which includes various features such as "the sliding loop formed on the first end of the first section ... the second end of the first section releasably engaged with the first end of the second section." In addition, neither Harvey nor Smith show or teach a first fixed loop formed on the second end of the first section and a second fixed loop formed on the first end of the second section and releasably engaged with each other as defined by amended Claim 16. Applicant requests withdrawal of the rejection and allowance of Claim 16 as amended.

Claim 19 is dependent from Claim 17. Neither Harvey nor Smith shows or teaches a method for fabricating a no-tie fishing apparatus which includes "forming a sliding loop on the first end of the fishing line for releasably engaging the fishing line and the fishing device without untying the sliding loop" as defined in amended Claim 17. Applicant further

notes that neither Harvey nor Smith shows or teaches a method of fabricating a no-tie fishing line as defined in Claim 17 which includes "forming a first fixed loop on a second end of the fishing line" as defined in Claim 19. Applicant respectfully requests withdrawal of the rejection and allowance of Claim 19 as amended.

Claim 20 is indirectly dependent from Claim 17. Claim 21 is dependent from Claim 20. Applicant respectfully submits that neither Harvey nor Smith shows or teaches the step of "forming the sliding loop on the first end of the first section ... releasably engaging the first end of the second section with the second end of the first section" as defined in amended Claim 20. Applicant further submits that neither Harvey nor Smith shows or teaches the various steps defined by amended Claim 21 such as releasably engaging the first end of the second section with the second end of the first section by releasably engaging the third fixed loop with the second fixed loop. Applicant respectfully requests withdrawal of the rejections and allowance of Claims 20 and 21 as amended.

Claim 15 was rejected under U.S.C. §103(a) as being unpatentable over Harvey as applied to Claim 10, and in further view of U.S. Patent No. 3,831,309 issued to Martuch. Claim 15 is dependent from Claim 14 which is in turn dependent from Claim 10. Since Claims 10 and 14 as amended are now deemed allowable, Claim 15 is allowable. Applicant also notes that neither Harvey nor Martuch shows or teaches a no-tie fishing apparatus as defined in amended Claim 10 in combination with a fishing line having a first section and a second section which respectively comprise a tippet and a leader as defined in Claim 15. Applicant requests withdrawal of the rejection and allowance of Claim 15.

Claim 18 stands rejected under U.S.C. §103(a) as being unpatentable over Harvey as applied to Claim 17, and in further view of Uni-Knot. Claim 18 is dependent from Claim 17. Since Claim 17 as amended is now deemed allowable, Claim 18 is allowable.

Claim 18 also calls for various steps which are neither shown nor taught by Harvey nor Martuch. For example, Claim 18 calls for the step of "wrapping the first end of the fishing line through the first and second loops and around a central portion of the fishing line." Harvey does not show or teach forming a sliding loop as defined in Claim 18. Uni-Knot does not show or teach "forming a second loop with the first end of the fishing line, the second loop formed adjacent to the first loop ... wrapping the first end of the fishing line through the first and second loops and around the central portion of the fishing line" as defined by Claim 18. Applicant requests withdrawal of the rejection and allowance of Claim 18.

Information Disclosure Statement

Applicant appreciates the Examiner's acknowledgment and consideration of the Information Disclosure Statement and PTO Form 1449 submitted September 17, 1999 with enclosed references in compliance with 37 C.F.R. §§1.97 and 1.98. Applicant, however, wishes to draw the Examiner's attention that in the Office Action mailed October 3, 2000 (Paper #9), the Examiner made no indication that Reference "X" submitted on Page 1 of 1 on the PTO Form 1449 had been considered. Applicant respectfully request confirmation of consideration of this reference. Attached is a copy of Page 1 of 1 from the PTO Form 1449 filed on September 17, 1999. Since Applicant submitted the Information Disclosure Statement before the mailing of the First Office Action, Applicant believes no fee is due at this time for the consideration of the reference.

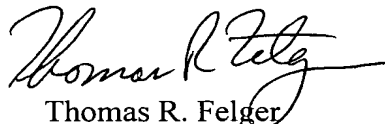
CONCLUSION

Applicant has now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of the rejection and allowance of Claims 10 - 22 as amended and new Claims 40 and 41.

No fee appears to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If there are any matters concerning this application that could be cleared up in a telephone conversation, please contact the Applicant's attorney at 512.322.2599.

Respectfully submitted,
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